

5/013/008

BEFORE THE BOARD OF OIL, GAS AND MINING  
DEPARTMENT OF NATURAL RESOURCES  
STATE OF UTAH

RECEIVED

JUN 28 2005

DIV OF OIL GAS & MINING

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IN THE MATTER OF THE PETITION BY THE	:	NOTICE OF HEARING
DIVISION OF OIL, GAS AND MINING FOR AN	:	
ORDER REQUESTING THE ATTORNEY	:	
GENERAL TO RECOVER, IN DISTRICT COURT,	:	DOCKET NO. 2005-012
CIVIL PENALTIES OWED BY ROCK-IT STONE	:	CAUSE NO. S/013/008
WORKS; STRAWBERRY RIVER QUARRY,	:	
DUCHESNE COUNTY, UTAH.	:	

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THE STATE OF UTAH TO ALL PERSONS INTERESTED IN THE ABOVE  
ENTITLED MATTER.

Notice is hereby given that the Board of Oil, Gas and Mining ("Board"), State of Utah, will conduct a hearing on WEDNESDAY, JULY 27, 2005, at 10:00 a.m., or as soon thereafter as possible, in the Board Room of the Department of Natural Resources, 1594 West North Temple, Suite 1050, Salt Lake City, Utah.

The hearing will be conducted as a formal administrative adjudication in accordance with the rules of the Board as set forth in Utah Administrative Code R641 *et seq.* (2005) as provided for by Utah Code Ann. § 40-8-1 *et seq.* (2005) and Utah Code Ann. § 63-46b-1 *et seq.* (2005).

The purpose of the proceeding will be for the Board to receive testimony and evidence, regarding a Notice of Agency Action by the Division of Oil, Gas and Mining, petitioning the Board for an Order requesting the Office of the Attorney General to bring an action in any appropriate district court of the state to recover civil penalties owed by Rock-It Stone Works, operator of the Strawberry River Quarry as provided for by Utah Code Ann. § 40-8-9.1. The mine is located in portions of the SW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> and the NW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> of Section 16, Township 4 South, Range 7 West, SLM, Duchesne County, Utah.

Objections to the Notice of Agency Action must be filed with the Secretary of the Board at the address listed below no later than the 10th day of the month, or two weeks before the scheduled hearing, whichever is earlier. A party must file a timely written objection or other response in order to participate as a party at the Board hearing.

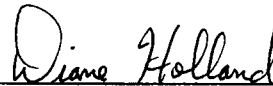
Natural persons may appear and represent themselves before the Board. All other representation by parties before the Board will be by attorneys licensed to practice law in the State of Utah, or attorneys licensed to practice law in another jurisdiction which meet the rules of the Utah State Bar for practicing law before the Utah Courts.

Persons interested in this matter may participate pursuant to the procedural rules of the Board. The Notice of Agency Action, and any subsequent pleadings, may be inspected at the office of the undersigned.

Pursuant to the Americans with Disabilities Act, persons requiring auxiliary communicative aids and services to enable them to participate in this hearing should call Vickie Southwick at (801) 538-5304, at least three working days prior to the hearing date.

DATED this 28<sup>th</sup> day of June, 2005.

STATE OF UTAH  
BOARD OF OIL, GAS AND MINING  
J. James Peacock, Chairman



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/s/ Diane Holland  
Legal Secretary  
1594 West North Temple, Suite 1210  
Salt Lake City, Utah 84116  
(801) 538-5302

**CERTIFICATE OF SERVICE**

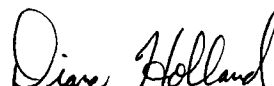
I hereby certify that I caused a true and correct copy of the foregoing NOTICE OF HEARING for Docket No. 2005-012, Cause No. S/013/008 to be mailed with postage prepaid, this 28<sup>th</sup> day of June, 2005, to the following:

CERTIFIED MAIL  
7003 2260 0001 3741 0659  
Mr. Shannon Peatross  
Rock-It Stone Works  
924 West Hicken Court  
P.O. Box 538  
Heber City, UT 84032-0538

Michael S. Johnson  
Assistant Attorney General  
Utah Board of Oil, Gas & Mining  
1594 West North Temple, Suite 300  
Salt Lake City, UT 84116  
(Hand Delivered)

Stephen Schwendiman  
Assistant Attorney General  
Utah Board of Oil, Gas & Mining  
160 East 300 South, 5th Floor  
P.O. Box 140815  
Salt Lake City, UT 84114-0815

Steven F. Alder  
Alison D. Garner  
Assistant Attorneys General  
Utah Division of Oil, Gas & Mining  
1594 West North Temple, Suite 300  
Salt Lake City, UT 84116  
(Hand Delivered)

  
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**CERTIFICATE OF PUBLISHED NOTICE**

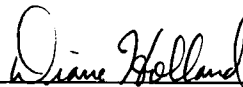
I hereby certify that I caused the foregoing NOTICE OF HEARING for Docket No. 2005-012, Cause No. S/013/008 to be PUBLISHED at the following newspapers on the following days:

July 3, 2005:

The Salt Lake Tribune and Deseret Morning News, newspapers of general circulation in Salt Lake City and County.

July 5, 2005:

Uintah Basin Standard, a newspaper of general circulation in Duchesne County.

  
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